

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814
(916) 445-8724



January 29, 1980

ALL-COUNTY LETTER NO. 80-6

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: Instructions for Preparing and Filing Employer Tax Returns with
the IRS for IHSS Recipients Using Individual Provider Services

REFERENCE:

This is to provide you with instructions on the preparation and filing of various federal tax returns by IHSS recipients who employ individual providers and are now being instructed by the Internal Revenue Service (IRS) or Department of Social Services (DSS) to complete certain forms. The tax returns and due dates are listed below:

Form 940 - 1978, Employer's Annual Federal Unemployment Tax Return	January 31, 1979
Form 940 - 1979, Employer's Annual Federal Unemployment Tax Return	January 31, 1980
Form 942 - 1978, Employer's Quarterly Tax 1979 Returns for Household Employees (Required if IHSS recipient paid wages of \$50 or more in any calendar quarter)	1st Qtr. - Apr. 30 2nd Qtr. - July 31 3rd Qtr. - Oct. 31 4th Qtr. - Jan. 31

Except as noted below in the case of Form 942, if any IHSS recipients are contacted by either the IRS or DSS to file any of the form(s) on the list, (s)he should complete the respective form and then forward it to the county. The county is requested to verify the recipient's IHSS eligibility for the period of time the return covers and submit the return(s) to DSS/In-Home Supportive Services Bureau. The county may use any consistent method to signify the return is for an eligible IHSS recipient. For example, a cover letter or note attached to a batch of returns.

IHSS recipients should not enter the address of the State Department of Social Services on any form. Where IHSS recipients have withheld the employee's share of F.I.C.A. (Social Security) taxes, the recipient should also attach to the 942 form a check or money order, payable to the IRS, for the withheld amount and send it directly to the IRS.

Because of the daily accumulation of interest charges and continued personal contacts of IHSS recipients by IRS agents, the county should expedite forwarding of the returns.


If any individual IHSS recipient made a direct payment to the IRS for either the 1978, 1979 Unemployment Taxes (Form 940) or the employer's share only of 1978, 1979 F.I.C.A. taxes and this payment was not reimbursed by the county or funded as part of the IHSS grant to the recipient, (s)he can file a claim for reimbursement from DSS. The recipient needs to send his/her name, current address, and a copy of the cancelled check and return filed with the IRS to the county. The county should verify the recipient's IHSS eligibility and forward the documents to DSS.

The information should be sent to:

Department of Social Services
In-Home Supportive Services Bureau
744 P Street, M.S. 5-126
Sacramento, CA 95814

If you have any questions, please contact your Adult Program Operations Bureau Consultant at (916) 445-8724.

Sincerely,


JAMES H. GOMEZ
Deputy Director

cc: CWDA